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Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century": implementation

Statement submitted by Armenian International Women's Association, Coalition against Trafficking in Women, Congregation of Our Lady of Charity of the Good Shepherd, Congregations of St. Joseph, Conseil Européen des Fédérations WIZO, Coordination française du lobby européen des femmes, Dominican Leadership Conference, Elizabeth Seton Federation, Franciscans International, International Federation of Business and Professional Women, International Federation of Women Lawyers, International Presentation Association of the Sisters of the Presentation, Perhaps Kids Meeting Kids Can Make a Difference, Mercy Corps International, Mouvement pour l'abolition de la prostitution et de la pornographie et de toutes formes de violences sexuelles et discrimination sexistes, Pax Christi International, Pax Romana, Sisters of Notre Dame de Namur, Society of Catholic Medical Missionaries, Soroptimist International, VIVAT International, World ORT Union, World Federation of the Ukrainian Women's Organizations and Zonta International, non-governmental organizations in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31 of 25 July 1996.

* E/CN.6/2005/1.

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Statement

Introduction:

We, international NGOs committed through direct service and advocacy to the human rights and empowerment of women, welcome this opportunity to review national implementation of the Beijing Platform for Action and the outcome documents of the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century." Based on our collective experience working for and with women, we review effective ways to confront the specific challenges of prostitution, trafficking, and other forms of violence against women. We provide recommendations for the advancement and empowerment of women and girls.

Overview:

In the 30 years since the 1st conference on women in Mexico City, we have witnessed the framing of a global agenda for women. This process culminated with the consensus of 189 countries on 12 critical areas of concern at the 4th Women's World Conference in Beijing. Additionally, many events, Commissions, and Conferences of the United Nations, including the Copenhagen Declaration on Social Development, the Monterey Consensus, the Millennium Development Declaration and Goals, have confirmed that gender equality and the dignity of women and girls are issues central to the global agenda of human rights, security, and human development.

Nevertheless, we have attained neither the implementation of women's human rights nor equality between women and men. Women continue to be excluded in extreme and significant ways from basic rights and societal benefits. Women are prohibited from essential forms of societal participation while they are the most vulnerable to social stress, deprivation, poverty and violence. Women and girls continue to be the objects of male violence in the home, in society and in conditions of military conflict.

We know, from our own experience in the fields of human services, law, education, advocacy, research and academia, as well as from the welcome Report of the Secretary-General to the 59th Session of the General Assembly (A/59/185) that trafficking in women and girls for sexual exploitation continues to escalate, requires specific attention, and is grounded in complex systems that present major challenges to our commitments to end gender violence and promote equality of women.

Root Factors Related to Prostitution, Trafficking, and Other Forms of Violence Against Women:

From our work in all parts of the world, we know that trafficking and prostitution are particularly egregious forms of violence against women requiring systemic analysis and structural change. To adequately meet the goals of gender equality, these structures must be addressed.

1. Prostitution, trafficking and other forms of violence against women are based in sociocultural perceptions and attitudes about the relationships between men and women:

- Whenever legal, religious, economic and political systems are patriarchal (i.e. favor men over women), women's rights and human dignity are compromised. A woman's value is less than that of a man and her inferiority is embedded in societal structures. The attitudinal systems that endorse such unequal structures create an environment that permits abusive behavior wherein a woman or girl can be beaten, used for sexual gratification, or used for cheap labor. These practices are enshrined in laws, customs and traditional practices where the woman or girl often becomes the property of a

male relative and she has virtually no autonomy as a person. Her dignity is dependent on a male member of the group.

- NGO reports to CEDAW have cited numerous examples of girls and women who have been sold to pay family debts or to supply money for a brother's dowry. Women's and girls' bodies have become objects and commodities, underpinning the gender violence of prostitution and trafficking of women and girls.

2. Prostitution, Trafficking and other forms of violence against women are rooted in economic systems and structures:

- While the poverty of individual women is often noted as a root cause of prostitution and trafficking, it must also be recognized that economic globalization has had differential impacts on women and men, which disadvantage women and increase the structural feminization of poverty. "Eradication of poverty" in general is not adequate to deal with the systemic nature of women's poverty, since women will still be the last to benefit from grass-roots economic progress. Women are not only denied access to mainstream economic structures (including monetary access, well paying jobs, social securities and other benefits of formal economic systems), but they are often unable to eat, find shelter, or finance an education. Therefore women and girls are systematically vulnerable to sexual exploitation and violence.

  Additionally, economic development patterns that encourage migration (domestic and international), discourage sustainability, and disadvantage local economies, lead to even greater incidences of women's exploitation.

3. Prostitution, Trafficking, and other forms of violence against women are fostered in political systems that exclude women and do not evaluate gender outcomes.

- The exclusion of women from all levels of societal decision-making is linked to their disempowerment. Without participation and representation, women lack voice in setting standards of human rights, in forming policies of protection, in guaranteeing access to education, and in ensuring a right to decent employment.

- In addition, our experience underlines the link between militarism and the frequency of prostitution, trafficking, and other forms of violence against women. We sadly note how strongly military complexes dominate our world. Military bases continue to be symbols and realities of unequal and exploitative relationships between occupiers and occupied, often coupled with weak or corrupt law enforcement mechanisms. Domestic and international conflicts have taken advantage of women's unequal position and use violence and exploitation as common forms of military tactic and strategy. Likewise, civil and military conflicts provide easy entry for traffickers, pimps and other perpetrators of sexual slavery who feed on the male demand for the prostitution of sex, exploiting local women, breeding transnational crime and providing a lucrative trade in human persons.

In sum, the widespread prostitution, trafficking and other forms of violence against women that mark women's experience today, mutually reinforce and are not separate from the existing attitudinal, economic and political prejudices that denigrate the personhood and dignity of woman. To work against trafficking without simultaneous work to end the prostitution of women is ineffective and contradictory because it fails to understand the nature of systemic oppression of women. NGOs know from experience that many countries that decry violence against women do not implement laws against trafficking and they tolerate and even promote the prostitution of women. If prostitution remains legal and/or accepted, trafficking has been shown to thrive because these countries serve as magnets for traffickers, pimps and other criminals.

Recommendations to Governments:

We urge policy and action in the following areas:

1. Adopt and actively enforce anti-trafficking legislation using the 1949 Convention for the Suppression of Trafficking in Persons and of the Exploitation of the Prostitution of Others and the recent UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. (see Report of the Secretary General, Trafficking in Women and Girls, 28 July 2004 A/59/185, para #6).

2. Sign and enforce the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

3. Include in States-parties' mandated reports to the CEDAW, relative to article 6 of this convention, an evaluation of the legal status of the prostitution of women, including efforts to prosecute perpetrators, decriminalize women in prostitution, and penalize the demand.

4. Articulate a coherent national policy using international instruments in favor of the dignity of women and girls that explicitly denounces prostitution as a violation of the human rights of women and rejects its legalization.

5. Establish preventive policy measures in national law that address the root causes of trafficking and prostitution, including economic structures, systems of male dominance, and social tolerance for violence against women.

And, finally

6. Explicitly define the role of the newly appointed Special Rapporteur on Trafficking to include the issue of prostitution in her mandate, in accord with the 1949 Convention "that prostitution is incompatible with the dignity and worth of the human person, and endangers the welfare of the individual, the family and the community…"